

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**TECHNOLOGY PROPERTIES §
LIMITED, INC. §
V. § CIVIL NO. 2:05-CV-494(TJW)
FUJITSU LIMITED, FUJITSU GENERAL §
AMERICA, INC., ET AL. §**

ATTORNEY FOR PLAINTIFF: (See attached sign-in sheet)

ATTORNEY FOR DEFENDANT: (See attached sign-in sheet)

LAW CLERK: Jerry Yen, Dan Sharp

COURTROOM DEPUTY: Sonja H. Dupree

COURT REPORTER: Susan Simmons

**CLAIM CONSTRUCTION HEARING
May 3, 2007 @ 9:00 a.m.**

OPEN: 9:00

ADJOURN: 11:55

Court opens. Attorneys announced ready.

Mr. Cook - presentation for the plaintiff.

9:54 - Mr. Lender gave the Court the breakdown of defendant's time for presentation.

Mr. Lender - "entire" clock limitations discussed. Defendant's proposed construction: a ring oscillator variable speed system clock - that is completely on-chip and does not rely on a control signal or an external crystal/clock generator. The clock will track the CPU processing frequency. Claim language - ordinary meaning of "entire." '336 patent claim language discussed. TPL's position re: prosecution history discussed. Inventors distinguished Sheets because it is "driven" by an external clock. Prosecution history - third rejection. Inventors distinguished Magar because it used an external crystal. Prosecution history - fourth rejection. Inventors added "entire" to sharpen the distinction over the prior art. Also added "in said single integrated circuit." If any part of the clock is off the chip, it is not "entire." Command inputs discussed. In Sheets, a command input is required to change the clock speed.

10:12 - Michael Hawes for Toshiba spoke. "Vary together" limitations discussed. What two things "vary together" subject discussed. The common sense construction of "vary together." Defendants' construction: increasing and decreasing by the same amount. Mr. Hawes continued his presentation. TPL is inconsistent with the specification. TPL's construction defeats the invention's purpose. Defendant's construction safeguards the invention's purpose. Chip works if the CPU's speed limit decreases by the same amount. TPL told Patent Office that the clock frequency and the CPU frequency capability crucial to the invention.

10:25 - Recess; to return at 10:40.

10:40 - Court reconvenes.

Mr. Feldhaus for NEC spoke. Processing frequency of the CPU discussed. Defendants' construction of "processing frequency" also discussed. Mr. Feldhaus continued his presentation.

10:57 - Mr. Hawes spoke briefly.

10:58 - Mr. Wallace for the ARM defendants. Three terms addressed by Mr. Wallace. The "magic" is that operands "must" "always" be right justified. The "groupedness" definition was given. "Group" cannot mean "single traditional instruction." TPL is wrong on the facts and the law.

11:07 - Mr. Kevin Anderson spoke on behalf of the ARM defendants. "Groupedness" discussed. Defendants' meaning of groupedness was given. Common sense that "group" does not mean "single." "Group" is not "single instruction." Mr. Anderson continued.

11:21 - Rebuttal by Mr. Cook for the plaintiff.

11:55 - Court - this matter is under submission.

Adjourned.

ATTORNEY SIGN-IN SHEETCAUSE #: 2:05 cv 494JUDGE: T. John WardSTYLE: TPL v. Fujitsu Limited et alDATE: Thursday, May 03, 2007TIME: 9:00 AM**PLEASE PRINT CLEARLY**

ATTORNEY NAME	REPRESENTING
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✓ Roger Cook	" " "
David J. Black	ANALog
Steve Bauer	++
Jim Taylor	++
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Charlie Hoge	Patriot
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KORSTEN VAN DYKE	TPL
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Robert Liff	TPL
John Feldhaus	NEC Electronics America.
Pavan Agarwal	NEC EL. Amer.
Matt Smith	NEC EL. AMER.
Guy HARRISON	NEC
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Dave Lender	MEI
Matt Antonelli	MEI
Kevin Anderson	ARM
Eric Gilman	MEI
James Wallau	ARM
Greg Lyons	ARM
Michael Hawes	Toshiba

ATTORNEY NAME

REPRESENTING

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